G. R. S. 597

GENERAL AND REVENUE SECRETARIAT.

1909

( )

File No. 255-09

Serial Nos. 1 to 6

Papers Filed.

Month Nov. 1910

SUBJECT.

Appeal petn of the Banajagars of Hadikere, Tarikere Taluk, in the matter of their right in the Basavanna Devaru temple at the place.

PREVIOUS REFERENCES	LATER REFERENCES
Mem 175 05	
" 115 03	

M. Venkatarow Ranga Rao
Recorder

G.R.S.11] 1909-10

GENERAL AND REVENUE SECRETARIAT

(Murrai)

NOTES.

File No. 255-09.

FILE HEADING.

Appeal Petition of the Banajigars of Hadikere village, Tarikere Taluk, against the Kadur Dy Commr's order in the matter of their rights in the Basavanna Devaru temple at the place

From

Mallikarjunappa and other Banajigars of Hadikere.

No. Petition Dated 20 10 09 Received 20 10 09

Diary No. 813	Enclos.	Spare Copies	Serial No. 1

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

In Pro: No. 4007 / Murr F 32-01 dated 14th June 1904, the Govt after laying down certain general principles as to how far innovations against mamool in cases of disputes between rival sects might be encouraged observed that both the Aiyyas of the Banajigars and of the

NOTES—First sheet

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Sadars and Nonabars should be permitted to offer worship in the Basavanna Temple at Hadikere and that different times should be fixed therefor, so as to prevent any breach of the public peace The Dy Commr was at the same time informed that he should take action having in view the gradual settlement of the matter in accordance with the above views. The Banajigars however appealed against these orders and the appeal was rejected. (vide Endt No. 4234 dated 28th March 1908).

From the copy of the Dy Commrs order now appealed against, it appears that the General Assistant Commr passed an order on the 23rd Nov 1908, giving effect to the order of Govt of the 24th June 1904 referred to above, ~~what~~ but that order also was appealed against in the Court of the Dy Commr, who dismissed the appeal. In the last para of his order, he observes that though the principle enunciated in the Govt Order (in accordance with which the Asst Commrs order was passed) is perfectly sound, ~~but is impracticable of being given effect~~, yet it is extremely difficult, if not impossible, to give practical effect to the Govt Order He adds that on account of this difficulty the temple had to be shut up, neither party being allowed to perform any utsava to the prejudice of the other.

NOTE—Contn. sheet.

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The grounds of the present appeal by Govt are :-

(1) The Courts below have not rightly applied to the facts of the present case the principle enunciated in the Govt Order of the 24th June 1904 and their decision is not in conformity with the spirit of the said order.

(2) The Courts below have failed to attach any evidentiary value to the civil judgments referred to by the appellants

(3) The Govt order is, as observed by the Dy Commr, incapable of being given effect to.

The facts of the case upon which the Govt Order of the 24th June 1904 referred to was passed; are given at length in the other note in the linked file No 32-1904.

W

Subd for orders with a Draft as proposed

W 21-10-09 / 22

Submitted 25-10

Subs

2 To, Mallikarjunaiah and other Banajigaru of Hadagere Village

Endt no 1138 Dt 26-10-09

Calls upon them to produce Civil Court judgments bearing on the case.

3. From, Mallikarjunaiah

Petition Dt 20-12-09.

Produces the Dy. Commrs. order and

Note—Contn. sheet.

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	prays that these documents may kindly be sent for, and perused, by Govt The Dy Commrs order says that in the matter of the return of the judgments produced, by the petr as exhibits in the case, pending decision of the appeal (if an appeal has been preferred to Govt), these papers will not be returned Submitted for orders AV 21 12 09 Let records be sent for — D.t Off.r — 21/12/1909
	Records received HV 21 12 09 Case disposed of 21/12/1909
4	To, the Dy Commr, Kadura dist O M no 1601 Dy 27-12-09 Forwards Sls 1 & 3 and calls for the entire records connected with the case
5.	From, the same officer, Letter no 287 Dy 24/10 Submits the records Submitted for orders AV 5-2-10 HV 7.2.10 Extracts of this Case are shown Started in this Memo Hearing Note in Register No. The order of 1906 has not yet been carried out After the disposal of the appeal in March/06 the Sadar again applied for permission to celebrate Utsavam. After some Correspondence this was finally was finally - Vide

Contn sheet.

GPB—55,000—27-4-09

(5

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Under-Secretary's remarks

The facts of the case are clearly explained in the office note in File no 20 of 1900

(Flag 3) The order of 1904 has not yet been carried out The application for renewal was rejected in March 1906 (Flag 4)

Two other petitions received subsequently were forwarded to the Dy Commr for disposal of these one is a petition of Malikarjuniah, the Ayya of the Banajigaru, who wants the order of 1904 to be renewed on the ground that it practically sets at naught the civil court judgments in his favor (Flag A) (Flag B) These judgments were considered by Govt before they passed the order in March 1906

After the issue of this order the Sadars again applied for permission to celebrate Utsava After some correspondence, the 23d July 1906 was fixed Neither the Supt of Police nor the Amildar could go to the spot as they had other urgent work All the —

Sheet

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necessary Bandobust had been made. Still the procession did not take place as the Utsava idol was in the Pujari's house and he would not hand it over The Amildar and Assistant Commr proposed (X Flag E) to take action undeer Sections 24 and 25 of the Land Rev Code against the Pujari for the production of the idol (X Flag A) This was approved & The Amildar reported that the temple being neglected was much 9 dilapidated He also proposed the removal of the Pujari

A notice was issued to the (X Flag G) Pujari on 30th March 1907 He presented a petition (X Flag H) on 16th April 1907 urging reasons for not handing over the idol This was submitted to the Dy Commr (+ Flag I) (X Flag J)

In the meantime a petition was presented by Channabasavanna, and enquiry commenced Finally the Sub Divl officer ordered thus:- (+ Flag K)

"I have heard arguments and carefully studied records.

2 "The Civil Court judgments were before Govt but they saw

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"no reason to modify their original
"order

3 "It cannot be said that the
"Civil Court Judgments run counter
"to the order of Govt. The District
"Judge says "It is against the rules
"of liberty of Conscience to declare
"that plaintiffs are priests and defts
"should not interfere with the former's
"rights — as such priests etc etc" It
"is thus same liberty of conscience
"that the Govt are in favor of

4 "The Govt orders will be en-
"forced as already ordered"

The Dy Commr was appealed to. He called for a written Statement specifying the claims of the Banajigars this was presented He passed an order in these terms:— (x Mag 4)

"This is an appeal preferred by
"the Banajigars of Hadikere Village
"against an order dated 23 11 08
"passed by the Genl Asst Commr
"in Connection with the dispute between
"the Banajigars and the Sadars
"about the Temple in the Village

"The orders of the Genl Asst Commr

NOTE—Contn. sheet

GPB—55,000—27.4.09

Serial No.

"which has been appealed against to
"to the effect that the Civil Court
"judgment relied on by the appellant
"should not be allowed to over-rid
"the Govt order of 24th June 04 relating
"to the case and that the Govt
"order should be enforced As the
"above order is quite sound by itself
"and as the appeal petition did not
"exactly show what the remedy was
"that the appellant sought for, their
"pleader was directed to state exactly
"what his clients wanted, and he
"has accordingly put in an appli-
"cation dated 22. 4. 09 Containing
"a statement of the relief sought
"for by him It is seen from the
"application that the appellants ask
"for one of two remedies:—
"(1) To restore the old custom by
"insisting on all parties to adhere
"to manual by recognizing the
"old mutt and the Ayza as have
"come down for years or
(2) "To direct the Sadars to keep
"aloof from the rest, build their
"own temple and mutt, and

NOTE—Contn sheet

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"appoint their own Ayya so that
"each party may be free from the
"molestation of the other for all time
"to come.

"The first of the above remedies
"is one which is not in the power of
"any Court to grant, as no Court
"can compel the Sadars to recognize
"the Banajigar Ayya and Banajagar
"Matt

"As regards the other remedy,
"it is no doubt highly desirable
"that to avoid all cause for further
"disputes each party should have
"its own Temple separately But the
"question is who is to Construct another
"Temple Each of the parties claims
"the present Temple as being its own,
"and neither party is willing to give
"it up and build a separate Temple
"In the face of the Govt order, I cannot
"see my way to prohibit the Sadars
"from entering the Temple in question
"and observing their religious ceremonies
"therein with the aid of their own Ayya

"For the above reasons, I
"do not see my way to grant the

NOTE—Contn sheet

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Serial No.

"
"prayer of the appellants and 2
"accordingly dismiss their appeal.
"2 see that in the Govt order
"of 24th June 1904, it is stated that
"each party may be allowed to go to
"the temple with its Ayya, but in order
"that one should not come in conflict
"with the other, different lines should
"be adopted by the two parties It
"seems to me that this order, though
"perfectly sound on principle, is extremely
"difficult, if not impossible, of being
"given practical effect to; and it is
"on account of this difficulty that the
"temple has had to be shut up, neither
"party being allowed to perform any
"Utsava to the prejudice of the other.

The Banajigars have again come to Govt. It will be seen from the Dy Commr's order reports and the behaviour of the Asst Supdt of Police and Amildar that the order of 1904 is difficult to execute.

The next question is, if that order is to be modified, whether we are to restore the order of Mr Cox or the order of Mr Sparks. The former was passed in the interests of the public

M)
Hay N)
the linked file
tm. sheet.

(11

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General and Revenue Secretariat.

Mun/Rec/3 File No. 255/255 of 1909

Serial No.

hence. The Collectors proposal appears to be meritorious in the case and establishes the right of the Banajigas [illegible] to be difficult to locate.

Submitted for orders

2821 366

[illegible]

10/2/10

Give notice to both parties & post for hearing before me.

15/2/10

Notice for 16-2 issued

21/2/1910

AV Draft 17-2-10 16-2-10

Off notices issued 21-2-10

SWS AV

Adjourned to the 18th March, as the Councillor was otherwise engaged on the 2nd idem

By order,

1/3/1910

Two Banajigas for (Mr C. Ka Rao Adv)

Two Sadars for (Mr B Narayanayya)

sheet.

GPB—50,000—27-4-10

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General and Revenue Secretariat.

Mus. File No. 255 of 1909

Serial No.

In this village, there are more houses of Sadars than of Banajigas. The Temple is said to be more than a hundred years old, and it is the only temple of Basava in the place. It is manifestly untenable to ~~hold~~ contend that either party has an exclusive right to go to it with ~~them~~ its own priest, and it is ~~equally~~ also impossible to direct that either of them should pull this up and build another temple. The dispute mainly founded upon ~~vile~~ the assertion of panchal inde finite rights not proved or capable of being proved by satis. factory evidence, hardly ad- mits of a proper determination

Note—Contn. sheet.

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G. R. S. 12]
General and Revenue Secretariat.

Mung File No. 255 of 1909

Serial No.

in accordance with evidence of usage. dtd The order of Govt passed already seems to have taken an impartial course so as to do what is fair to both parties, ~~and the~~ The Appt did not question it for it cannot be difficult to arrange different days or times for both parties if they are reasonable. The Dy Cr says that the order is difficult to carry out in practice. He has not stated wherein the difficulty lies. The matter will be referred to the Dy Cr for issuing proper orders in conformity with the J. C. for observance in the temple. If either party unreasonably disagrees, there will be no harm in enforcing observance as against him.

about 5 or 6 yrs.

NOTE—Contn. sheet

GPB—55,000—27-4 09

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Serial No.

If it is insisted that the order ~~to~~ should be carried out, the parties are likely to reconcile themselves to it and find out the best practical solution.

18/3/10

Submitted a draft order in favour of conviction 19.3.10 The applicants have not been fined for 5½ years. a previous review petition has been rejected. I have therefore altered the concluding portion of para 2. 36

19/3/1910

The draft order may be approved.

104

Dswan 21/3/10

5164
23.3.10

It seems to me that a simple order declining to review the order of 1904 seems sufficient. The reference made in the

GPB—55,000—17.4.09

Serial No.

App[n] & order d 23 Nov 08 & some Civil Contempt proceedings have been instituted & the Govt of 24 June 1904 was passed. I have not been able to get at this Contempt proceedings

Sd 29 Oct 10

Petitioner's advocate 3/11/10

25 — Submitted with a Draft Endr thereon

Sd 8/11/1910

AV 9.11.1910 Committee.

Advocate-General
9.11.1910

764. Draft appd by Secretary Committee

Sd J

Issue

Sd 15.11.1910

2.

6 To. Chennabasappa & others (Petrs)

No 1338 d 21. 11 1910

Informs that Govt see no reason to modify the order passed in 1904.

To. The Dy Comr Kadur Dist No 1339 d 21. 1. 1910

Forwards copy of the above with the records of the case

GPB—55,000—27.4.09

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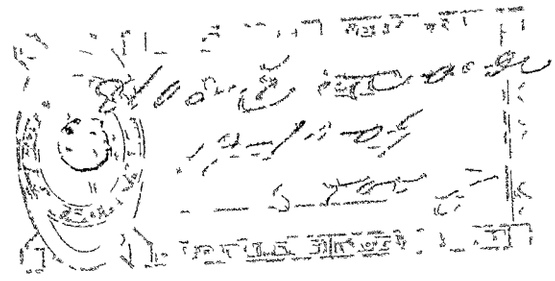
Serial No.

To - Ramalingappa & others
Sardars of Hadkere village
No 1340 of 21 11 1910
Forwards copy of
the above

tn. sheet

GPB—55,000—27.4.09



VII
Appeals
Civil Rules
Rules
28/10/09

9 813

Before the Hon'ble Judges of the Chief Court of Mysore at Bangalore

Appeal No: —

9A
Refer to Order
Postage note &
Submit to Court
4/2 20/10/09

Appellants

The Banajigars of Hadigere village, Tarikere Taluk

Respondents.

The Sadars of the said village.

The appellants named above most respectfully beg to present this appeal against the order of the Deputy Commissioner, Kadur Dist, dismissing their appeal re the dispute between them (the Banajigars) & the Sadars in connection with the temple of Basavanna Devaru in the village of Hadigere, Tarikere Taluq.

The grounds of appeal are: —

(1) The courts below have not rightly applied to the facts of the present case, the principle enunciated in Govt order

2

no. 4007 – Alur. Dy 32-01, dated Bangalore, 24th June 1904, and their decision is not in conformity with the spirit of the said order.

(2) The courts below have not considered the true contentions of the appellants, & they have attached no evidentiary value to the civil court judgments referred to by the appellants

(3) As observed by the learned Dy: court, the said Govt order, as such, is incapable of being executed ~~order~~ under the existing state of things in the village, & the result is that the appellants are shut out from exercising their rights & enjoying their privileges as per immemorial custom.

C. Krishna Rao
Advocate
for appellants
Bel. 09
9.0.

ದಾವಣಿಕೆದಾರರಾದ ನಾಡಕೇರಿ ಗ್ರಾಮದ ಬಣಜಿಗರು ಸಲ್ಲಿಸಿರುವ ಮೇಲ್ಮನವಿಯು ಸಹಾಯಕ ಕಮೀಷನರ್ ರವರು ಬಣಜಿಗರು ಮತ್ತು ಗದಾರರ ನಡುವೆ ಊರಿನ ದೇವಸ್ಥಾನದ ಬಗ್ಗೆ ಇದ್ದ ವ್ಯಾಜ್ಯದಲ್ಲಿ ದಿನಾಂಕ 23-11-08 ರಂದು ಹೊರಡಿಸಿರುವ ಆದೇಶಕ್ಕೆ ಸಂಬಂಧಿಸಿದ್ದಾಗಿದೆ.

Order

This is an appeal preferred by the Banajigars of Nadkere village against an order dated 23-11-908 passed by the General Assistant Commissioner in connection with the dispute between the Banajigars & Gadars about the temple in the village.

The order of the General assistant Commissioner which has been appealed against is to the effect that the civil court judgment relied on by the appellants should not be allowed to override the Government order of 24th June 04 relating to the case & that the Government order should be enforced

As the above order is quite sound by itself & as the appeal petition did not exactly show what the remedy was that the appellants sought for, their pleader was directed to state exactly what his clients wanted and he had accordingly put in an application dated 22-4-09 containing a statement of the relief sought for by them. It is seen from the application that the appellants ask for one of two remedies

(1) To restore the old custom by insisting all parties to adhere to manual by recognizing the old mutt & Ayya as have come down from years

(2) To direct the Sadars to keep aloof from the rest, build their own temple & mutt and appoint their own Ayya So that each party may be free from the molestation of the others for all time to come.

The fact of the above remedies is one which is not in the power of any court to grant, As no court can compel the Sadars to recognize the Banajigar Ayya & Banajigar mutt

As regards the second remedy it is no doubt highly desirable that — to avoid all cause for further disputes each party should have its own temple separately. But the question is who is to construct another temple. Each of the parties claims the present temple as being its own and neither party is willing to give it up & build a Separate temple. In the face of the Government order, I cannot see my way to prohibit the Sadars from entering the temple in question & observing their religious ceremonies, there in with the aid of their own Ayya

For the above reasons I do not see my way to grant the prays of the appellants

and I accordingly dismiss their appeal.

I see that in the Government order dated 26th June '04 it is stated that each party may be allowed to go to the temple with its Ayya; but in order that one should not come into conflict with the others different times should be adopted by the two parties. It seems to me that this order though perfectly sound in principle is extremely difficult if not impossible of being given practical effect to and it is on account of this difficulty that the temple has had to be shut up neither party being allowed to perform any Utsava to the prejudice of the other

Comd 175

(Signed)
K. R. Srinivasa Iyengar
Deputy Commissioner
6-7-09

Tahsildar

1-9-09

20-9-09

24-9-09

Before the Government of Kellapuney Bangalore

ಬೆಂಗಳೂರಿನ ಕೋರ್ಟಿನಲ್ಲಿ

ಸಣ್ ಗಣಂ ನೇ ಇಸವಿ ನಂಬರು

ವಾದಿ
The Banappas 2
Hasipur village,
Tarikere Taluk

ಪ್ರತಿವಾದಿ
The sadars 2
Hasipur village

Mr. C. Krista Roo Ba B L. Advocate
ಎಲ್ಲಾ ಕೆಳಗೆ ಕಾಣುವ ಅಡ್ವೊಕೇಟರಿಗೆ ಮತ್ತು ಪ್ಲೀಡರಿಗೆ
ಬರಿಸಿಕೊಟ್ಟ ವಕಾಲತ್ತುನಾಮೆ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನನ್ನಪರವಾಗಿ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ಅರ್ಜಿ ವಗೈರೆ ಕೊಟ್ಟು ವಿವಾದಿಸಿ ಫೈಸಲ್ ಹೊಂದತಕ್ಕಬಗ್ಯೂ ನನಗೆ ಸಲ್ಲತಕ್ಕ ಡಿಕ್ರೀ ಮೊಬಲಗ್ಯೂ ಜಾರೀಕ್ರಮ ನಡಿಸತಕ್ಕಬಗ್ಯೂ ದಸ್ತೈವಜು ನಗೈರೆ ತೆಗದುಕೊಂಡು ರಶೀತಿಕೊಡುವದಕ್ಕೂ ಕೋರ್ಟಿನಿಂದ ವಾಪಸು ಆಗತಕ್ಕ ದಾವಾ ಷ್ಟ್ಯಾಂಪು ಪ್ರೊಸೆಸ್ ಷ್ಟ್ಯಾಂಪು ಮತ್ತು ಸಾಕ್ಷಿಭತ್ಯ ವಗೈರೆ ಎಲ್ಲಾ ಮೊಬಲಗೂ ತೆಗದುಕ್ಕೊಳ್ಳುವದಕ್ಕೂ ಸಹಾ ತಮಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟ ಧೇನೆ, ಆದ್ದರಿಂದ ತಾವು ನನಿಗೋಸ್ಕರ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ನಡಿಸುವ ಯಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದುಯಿದ್ದು ನಡಿಸಿದಂತೆ ವಪ್ಪಲು ಇದ ರಿಂದ ಬದ್ಧನಾಗಿರುತ್ತೇನೆ.

ರುಜು

ಅಂಗೀಕರಿಸಿ ಇರುತೆ ನೆ

ತಾರೀಖು 20 · Oct 09

C Krishnaraj
Pleader.

ಈ ಮೊಕ್ತ್ಯಾನ್ನಾಮೆ ಕೊಟ್ಟವರು ನನಿಗೆ ಪರಿಚಯಸ್ಥರು, ನನ್ನ ಸಮಕ್ಷಮೆ ಇದಕೆ, ರುಜುಮಾಡಿದ್ದಾರೆ.

ಟಪ್ಪೆ ಮುದ್ರಾಕ್ಷರ ಶಾಲೆಯಲ್ಲಿ ಮುದ್ರಿಸಲ್ಪಟ್ಟಿತ್ತು,—C.F.O.

W.P. 1138 ✓ — — — dt 24.10.04

This is [illegible]
[illegible]
[illegible]

[illegible]

[illegible]

[illegible] 255-09-3

[illegible]

[illegible]

[illegible]

[illegible]

Ref
155

[illegible]

[illegible]

[illegible]

1601 en clos

Muz 4] M-7-255-09-4

GOVT. OF H. H. THE MAHARAJA OF MYSORE.

MUZRAI DEPARTMENT.

OFFICIAL MEMORANDUM.

No.

The accompanying Appeal Petition No. 813/1155 dated 20th Oct & 20th Dec 1907 received at this office from Mallikarjunappa and others of Hadagere, Tarikere Taluk, appealing against the Dy Commr's order in the matter of their rights in the Basavanna Devasana temple at the place

is forwarded, together with its 2 enclosures, to the Deputy Commissioner of the Kadur District for submission of the entire records connected with the case ~~together with a detailed report thereon.~~

By Order,

Secretary,
~~Muzrai Depat~~

BANGALORE,
27-12-1907

GPB—800—20-9-07

Delhi 1602 924/-

D 1419
1909-10

From Cccc 255-09-5
The Deputy Commissioner
Kadur District

To

The Secretary to the Govern-
-ment of Mysore,
General and Revenue
Department.

Dated 24th January 1910.

Despatched 26th January 1910.

Received

General No. 287
No

Enclosure No. 31 files & 1 Ack
with the endorsement

Submitting the Vernacular Proceedings relating to the dispute between the Banajigas and the Sadars about their rights in the Basavanna Devaru temple at Kadkere

—o—

27-1-10

Office of the Deputy Commissioner
Kadur District,
Dated Chikmagalore 24th January 1910

From.

K R Srinivasa Iyengar Esqre M A.,
Deputy Commissioner Kadur District

To

C S Balasundaram Iyer Esqre B A.,
offg: Secretary to the Government of Mysore,
General and Revenue departments

Sir,

I have the honor to Submit herewith the Vernacular Proceedings relating to the dispute between the Banajagars and the Sadars about their rights in the Basavanna Devaru temple at Hadikere in the Tarikere Taluk, as called for in your official memorandum No. 1601/ M. F 25-5-09-4 dated 29th December 1909

The two enclosures received with the above are herewith resubmitted.

I have the honor to be,
Sir,
Your most obedient Servant,
M Veeraswamy
for Deputy Commissioner
Kadur District

G.R.S. 28.]

File No.

Serial No.

Diary No. of letter replied to

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

, *the* 19

Date of issue

Signed by

READ—

G O no 4007 dated
Mug 3201
24th June 1904 passing orde
in the matter of a dispute
between the Banajigars an
Ledars in the Hadikone Villa
Tarikere Taluk, about Pujea
other services in the Basava
Temple at the place

ORDER THEREON.—No.

Petition regd no 981
dated 27th October 1909 fro
Channabasappa and other
Banajigars of Hadikone
Kadur
appealing against the DC
Comm's order regarding the

over

SUBJECT.

Utsavam of this ~~Temple~~ idol

Records of enquiry received with Letter no 287 of 26th January 1910 from the Dy. Commr, Kadur Dist.

Order thereon – no

The case was heard before Govt., the contending parties being present in person and represented by ~~their~~ Advocates also.

2) That in the Village of Hadikone, The Govt observe There are more houses of adars than of Banajigaps. The Temple in question is said to be more than a hundred years old, and it is the only Temple of Basavanna in the place.

is manifestly untenable Contend that either party as an exclusive right go to it with its own and it is also to direct that

G.R.S. 27]

GENERAL AND REVENUE
SECRETARIAT

(Continuation Sheet draft form.)

either of them should give
them up and build another
for themselves.
temple; The dispute mainly
founded upon the assertion
of fanciful indefinite rights
not proved or capable of
being proved by satis-
factory evidence, hardly
admits of a proper deter-
mination in accordance
with evidence of usage.
The Govt order of the 24th
June 1904 read above seems
to have taken an impartial
Course so as to do what is
fair to both parties. The
~~appts did not question is~~
~~to about 5 or 6 years~~

3. Govt think that it
cannot be difficult to arrange
different days or times for
the
~~both~~ parties if they are
reasonable. The Dy Commr
reports that the order is
difficult to carry out in
practice; but has not stated
wherein the difficulty lies.
Hony ~~Director~~ ~~District~~ Master
The matter is therefore referred
to that officer for issuing

The present application might
with
~~be~~ limitation be an appeal
from an order of the Dy Comr
of 6th July 1909 is merely for the
revision of the aforesaid Govt
order, ~~Parties applications have~~
~~been rejected~~ which Govt are
the reasons to modify ~~Parties appls~~
~~either having~~ They
therefore reject the application

proper orders in conformity
with the Govt order refd to
for observance in the temple.
If either party unreasonably
disagrees, there will be no
harm in enforcing its observance
as against that party. If it is
insisted that the order should
be carried out, the parties
are likely to reconcile themselves
to it and ~~find out the best~~ to arrive by means of
~~practical solution~~. Mutual Compromise at
a practical
of their Controversy.

19/3/[illegible]

cls. asked)

for Secretary,

19/3/40

Yr,

The Dy. Commr, Kadur wrt.
returning herewith the Vern. records.
Encl: to applts & Respts.

No 1338 — Dy 21—11—1910. 41

Mrs 255-09 X 6

With reference to

813
16/4/10

their petition regd. no D 813 dated 29th october 1909 appealing against the order of the Dy. Commr, Kadur Dist, about the dispute between the petrs and Sadars in connection with the Puja and other services in the Basavanna Temple in the Hadikere Village, Tarikere Taluk, and representing that the Govt order no 4007 Mrs 7 32-01 dated 24th June 1904 passed in this matter requires modification as it cannot be executed, Channabasappa and other Banajigars are informed that

upon hearing them and the opposite party and their Advocates and perusing the records, Govt see no reason to modify the order of 1904

By order
Dewan's order 9/9.11.1910
for Secretary

No 1339 dt 21-11-1910
Dmis 255-09-6

Copy to the Dy Commr, Kadur Distt returning the records received with his letter no. 284 dt 26th Jany. 1910.

By order
Dt 9/9.11.1910
Secretary.

No 1340 dt 21-11-1910.

Copy to Sikharanna, Ramalingappa and other Sadars of Hadikere village,

By order
Dt 9/9.11.1910
Secretary

12/11/10